AGENDA BOARD OF SELECTMEN July 10, 2007 7:00 p.m. Town Building

Public Input

Chairman's Comments

Town Administrator's Report

Meeting Minutes

Visitors

7:15 p.m. Approval of bond renewal – Pam Landry, Treasurer/Collector

Action/Discussion

- Appointments to Conservation Commission, Historical Commission, Municipal Affordable Housing Trust, and Recreation Commission
- Approval of SMOC "American Dream" down payment initiative
- Writing assignments for Selectmen's Office standard operating procedures (SOP) and process to review, approve, and implement
- Approval of Town Administrator's contract
- Discussion of Commonwealth's Municipal Partnership Act
- Decision on relocation of Stow's polling place

MSBA Update

Status of letter to MSBA and formation of future School Building Committee

Action Item Follow-up

Selectmen's Master Planning

Liaison Reports, if any

Correspondence

Town:

Resident letter re Lower Village roundabout, rec'd 6/21 Letter of interest for Recreation Commission, rec'd 7/3 Resident letter re Red Acre Road speed zones, rec'd 7/3 Chapter 61 land sale notification (less than 1 acre), rec'd 7/5

General:

MSBA announcement of electronic applications and next steps, rec'd 6/22 FY08 Commonwealth Capital Application, rec'd 6/28 DLS notice of updated local aid estimates, rec'd 7/3

Executive Session

For the purpose of discussing union contract negotiation, per MGL C.39, s23b.

Adjournment



Town of Stow **BOARD OF SELECTMEN**

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

NOTICE OF VACANCY

CONSERVATION COMMISSION 1 member

<u>Duties:</u> The Commission administers and enforces the Mass. Wetlands Protection Act and the Town's Wetlands Protection Bylaw. Reviews all proposed activity within 100 feet of wetlands, water bodies and flood plains. Administers the Town's conservation lands.

Qualifications: Registered voter of Stow. Commitment to environmental issues, however, a related background would be welcomed.

Term: Appointment by Board of Selectmen to fill a three-year term ending June 30, 2010.

<u>Application</u>: The Board of Selectmen will accept letters of application until 5:00 pm on Thursday, June 21, 2007.

Posted 5/22/07
Posted 5/22/07

for 2 vacancies:

To replace David Cobb (4/16/09)

and Steplan Jablon (5/22/01)

RECEIVED

JUN 6 2007

Town of Stow BOARD OF SELECTMEN

116 Barton Rd. Stow, MA 01775 June 4, 2007

Dear Pat and the Board of Selectmen,

This letter is to formally put into writing my desire to be considered for an open position on the Stow Conservation Commission. As you know, I have been very interested in the Commission and its activities over this past year. I have been regularly attending the bi-monthly meetings and have been rapidly learning a great deal about the issues and the decisions that come before the Commission. Additionally, this summer, I hope to attend some of the workshops that are being presented by the Massachusetts Association of Conservation Commissioners to further develop my understanding and expertise about these issues.

I hope that you will consider me seriously as a candidate for this opening.

Sincerely,

tathy Tarbi
Kathy Tarbi

Canput attend

RECEIVED

JUN 6 2007

Town of Stow BOARD OF SELECTMEN

Dennis G. Walsh 28 Hastings Street Stow, Massachusetts 01775 978-897-6849 dennis walsh@hms.harvard.edu

5 June 2007

Board of Selectmen Town of Stow Stow Town Building 380 Great Road Stow, Massachusetts 01775

Dear Selectmen,

Please accept this letter and the accompanying résumé as my application for the three-year term position on the Stow Conservation Commission as posted May 22, 2007, on the Town of Stow website (http://www.stow-ma.gov/Pages/StowMA WebDocs/jobs).

As a resident of Stow for over 30 years, I have developed a deep appreciation for the rural character of the town and its diverse biological communities. While the continued expansion of the town's population is evident, the effect of that expansion on the flora and fauna in our community is much less apparent.

As a member of the biomedical research community for over 30 years, I am committed to the scientific process of research and analysis of biological systems. This commitment has extended to my personal study of the biological class Amphibia, specifically, frogs and toads (order Anura) and salamanders (order Caudata).

In recent years the scientific community has looked upon amphibians as potential indicators of the overall health of the environment. Acknowledging the consistent demand in Stow for buildable land, I believe that an assessment of the town's amphibians, and hence its wetlands, is of critical importance.

Thank you for considering my application for the open position on the Conservation Commission. I look forward to interviewing with the Selectmen and members of the Conservation Commission.

cannot attend

Sincerely yours,

Dennis G. Walsh

Enclosure: résumé

cc: Stow Conservation Commission

Dennis Walsh



Town of Stow **BOARD OF SELECTMEN**

380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

Stow Town Building

NOTICE OF VACANCY

HISTORICAL COMMISSION One member

Duties: Preservation of historic structures and properties. Commitment to attend monthly meetings and willingness to be involved in other duties pertaining to local historical needs.

Qualifications: Registered voter of Stow. Interest in the history of Stow and its preservation.

Term: Appointment by the Board of Selectmen to fill a three-year term expiring June 30, 2010.

Application: The Board of Selectmen will accept letters of interest until 5:00 pm on Thursday, July 5, 2007.

Posted June 12, 2007

To replace Lig Painter (4/30/07)

June 21, 2007

Board of Selectmen Town of Stow 380 Great Road Stow, MA 01775

Dear Board members,

I would like to serve on the Stow Historical Commission and hope you will consider me for the present vacancy.

I am interested in Stow's history and the preservation of our historic sites and buildings. And in my work for the Community Preservation Committee, I learned about several project opportunities for the town, such as the restoration of gravestones and structures.

My mother's family has farmed the same land in Lincoln for over 300 years and I grew up learning the importance of local history and historical preservation. I'd like to contribute my time and energy to the commission's work.

Yours truly,

Susan McLaughlin Susan McLaughlin

779 Great Road

cc: Historical Commission

Susan McLaughlin

From: Karen C. Gray [kcthreads@earthlink.net]

Sent: Tuesday, June 26, 2007 11:42 PM

To: Susan McLaughlin

Subject: Historical Commission opening

At our June 7th meeting we were all delighted to have Susan McLaughlin express her willingness to join the Stow Historical Commission. We would welcome her appointment as a full member.

Karen Gray Secretary Stow Historical Commission



Town of Stow **BOARD OF SELECTMEN**

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Stow, Massachusetts 01775
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

NOTICE OF VACANCY

MUNICIPAL AFFORDABLE HOUSING TRUST 1 member for a 1-year term 3 members for a 2-year term

This is a new committee.

<u>Duties:</u> Create and preserve affordable housing in Stow for the benefit of low- and moderate-income households, pursuant to MGL Chapter 44, section 55c and Chapter 109 of the Acts of 2006. Accept, invest and spend funds in the Trust's care; buy sell, hold, and manage real property.

Qualifications:

- Registered voter of Stow.
- Applicants should share a commitment to the long-term welfare of the town and desire to increase the housing choices in Stow for its past, current, and future residents and employees.
- Possess some of the following requisite skills and background: 1) financial and investment management; 2) law, especially real estate or municipal; 3) business or project management; 4) property or facilities management; 5) real estate transaction experience.
- Have no appearance of or actual incompatible interest with the business of the Trust, such as a connection to current or proposed residential development in Stow.

Term: Appointment by Board of Selectmen to fill one one-year term, ending June 30, 2008 and three two-year terms, ending June 30, 2009. Subsequent terms will be two years.

Application: The Board of Selectmen will accept letters of application until 5:00 pm on Thursday, July 5, 2007.

Posted 6/21/07

MAR 2 2 2007

Town of Stow
SCARD OF SELECTMEN

19 March 2007

Board of Selectmen Town of Stow Stow Town Building 380 Great Road Stow, MA 01775

Greetings:

I would like to make known to you my desire to apply for a 2 year appointment to the Municipal Affordable Housing Trust for the Town of Stow. I have a keen interest in increasing the diversity of the housing stock in Stow. Added options for people with local ties who would like to own a home but find the housing market has outstripped their ability to afford a home here are critical to both maintaining the character of the town as we have known it and allowing it to foster a healthy, diverse economic base for the future.

My qualifications are that professionally I have managed large departments in the biotech instrumentation industry with multi-million dollar budgets and dozens of employees. I also have long experience in marketing products and ideas and in developing and coaching presentation skills for people to who need to influence large groups.

As a volunteer, I have worked with the Stow housing Partnership for the last two years and currently serve as its Chair. As such, I have researched and advocated Affordable Housing issues as they pertain to Stow. This experience should allow me contribute to the Trust almost immediately by helping to frame issues and guide other trustees to resources on relevant topics. I also work in various other volunteer roles in town, from working with the local Destination Imagination program, mentoring in the Robotics program at Nashoba Regional HS, and even helping out the Moderator with the Town Meeting audio-visual

Please consider my application to become a trustee. I would be happy to forward any other documentation you may require to fairly assess my fitness, including a professional resume or references.

Sincerely,

Michael Kopczynski 12 Canterbury Road Stowe, MA 01775-1110

June 1, 2007

9 Wedgewood Road Stow, MA 01775

RECEIVED

JUN 4 2007

Town of Stow BOARD OF SELECTMEN

Board of Selectmen Stow Town Building 380 Great Road Stow MA 01775

Dear Members of the Board of Selectmen:

Please accept my application for a position as member on the new Municipal Affordable Housing Trust. Although the notice of vacancy states that applications were due in March, I understand that the Trust has vacancies and the Selectmen may consider additional applications. I believe I offer a perspective and experience that would be an asset to this new committee as it works to create and protect affordable housing in Stow.

I am and have been a resident and voter in town since 1993. I am an attorney by profession, with a focus in municipal law. I served for approximately 8 years on the Stow Capital Planning Committee. I also represented the Town for approximately 18 months, first as Interim Town Counsel following the death of Jake Diemert and then with Jon Witten as "co-Town Counsel." I have taken some time off from public service in Stow to acclimate to my new position as Assistant City Solicitor with the City of Worcester. Recently, however, I have been looking forward to becoming involved in town service again. To the best of my knowledge, I have no appearance of or actual incompatible interest with the business of the Trust.

The Affordable Housing Trust is very interesting for Stow. As we have watched the price of housing soar, many residents feel an increasing financial pressure to relocate and many potential newcomers - folks who would be assets to our community - may feel the town is too expensive. Funds to encourage additional affordable housing have been available, notably from the CPC, but it takes time to appropriate those funds. The Trust is an intriguing "hybrid." It is subject to open meeting law and an annual audit, for example, but it may receive and spend money without specific town meeting authority. This gives the Trust the capacity to move efficiently and take advantage of opportunities to promote affordable housing while remaining open and accountable to the public.

I would be very pleased and excited to be a part of this endeavor. I am intrigued by the possibility of working with and learning from other members, including those with significant experience other affordable housing initiatives. Hopefully my own experience would contribute to a positive and significant committee acting to benefit the Town. Thank you for your consideration.

Very truly yours,

Karen A. Mever

Susan McLaughlin

From: Quince Papanastassiou [zonars14@msn.com]

Sent: Tuesday, June 26, 2007 6:44 AM

To: selectmen@stow-ma.gov

Subject: Municipal Affordable Housing Trust

To the Board of Selectman,

I'd like to be considered for membership in the Municipal Affordable Housing Trust. I have lived in Stow for 21 years, I currently am a residential mortgage underwriter and have been for over 20 years. I have also purchased, renovated and rented properties in Fitchburg and Worcester over the last 11 years, although I have since sold all my rental properties. I had my construction supervisors license for 9 years during that time but I have since let it lapse. I have no affiliation with any past, current or proposed developments in Stow.

I have coached youth soccer, basketball and Destination Imagination and as my children have grown I find I have time for other volunteer opportunities within Stow and feel that my experience might be beneficial to the Trust. I would be interested in either the one or two year term.

I appreciate your consideration in this matter.

Sincerely,

Quince Papanastassiou 279 Hudson Road Stow, MA To: Board of Selectmen From: Ruth Kennedy Sudduth

Re: Housing Trust Date: June 26, 2007

I am writing to express my interest in joining the Housing Trust.

My experience as a Planning Board Member, participation in getting the CPA passed in Stow, and professional experience in real estate should help me to be a valuable participant in the Trust. My particular interest is in getting deals done, specifically in the purchase of affordability restrictions on existing housing stock in Stow. I have considerable expertise in complex real estate transactions and would like to get going on keeping Stow a manageable and diverse community. I am not interested in spending time on policy nor in lots of meetings. I am interested in getting things done for the Town. If you feel that I can be of service, I would be honored to participate.

Thank you for considering my interest,

Ruth Kennedy Sudduth 617-359-5584 cell 137 Tuttle Lane Stow, MA 01775



Town of Stow BOARD OF SELECTMEN

Stow Town Building
380 Great Road
Stow, Massachusetts 01775
(978) 897-4515 selectmen@stow-ma.gov Fax (978) 897-4631

NOTICE OF VACANCY

RECREATION COMMISSION Two members

Duties: To provide and promote recreational services for residents of Stow. To administer current programs, such as town beach, skiing, basketball, etc.

Qualifications: Registered voter of Stow. Interest in recreation for townspeople of all ages. A commitment of time to attend monthly meetings as well as for special assignments.

Term: Appointment by Board of Selectmen for a one-year term, ending June 30, 2008.

Application: The Board of Selectmen will accept letters of application until 5:00 pm on Thursday, July 5, 2007.

Posted June 12, 2007

To replace Corinne Green (6!11/01) and Chrie Way (619107) To the Stow Board of Selectmen:

My name is Jim Henry and I am interested in applying for one of the two open positions on the Stow Recreation Commission. I understand that these seats are being vacated at the end of June and I would like to be considered for one of them.

As an applicant for one of these open positions, I believe that I am a very qualified and motivated candidate. I have bee highly involved in athletics at the youth level for some time now. I have coached my children's teams in Town for five years in various sports including basketball, soccer and baseball. This year alone I coached six teams and assisted on another. In addition, I have recently taken the position of Boys' Coordinator for the Stow Soccer Club responsible for organizing our Stow teams together with the Nashoba Valley Youth Soccer League.

In addition to my coaching experience, I have been an active member of the Stow Recreation Director's working group over the past ten months attempting to find a viable solution to the growing recreation facilities shortage in Town. Through this challenging process, I have interacted with many of the boards in Stow and have gained an understanding of the intricacies for working together with all the volunteers who help govern our local community. It was truly an eye-opening experience to learn how much time and effort these people give of themselves to all of us; many of them for a great number of years.

From my experience working together with Laura Greenough and the working group along with the coaching background and knowledge of the processes in local youth athletics, I feel that I can be a very active and beneficial member of the Stow Recreation Commission. I hope you will consider me for one of the open positions.

Sincerely,

Jim Henry 31 Garner Road To: The Board of Selectmen

From: Tim Allaire

June 21, 2007

Re: Request for Consideration to Fill Open Position for the Stow Recreation Commission.

cc. Stow Recreation Commission (attention Laura Greenough)

I am interested in filling one of two positions now open on the Stow Recreation Commission.

I believe I am qualified for this position based on the following:

- 1.) An active participant for the past 9 months in the Stow Recreation Working Group...
 Recreation for Stow initiative
- 2.) Knowledge, understanding and appreciation for an "inclusive" Town process to get things done.
- 3.) Working relationships with key Town departments and individuals
- 4.) Understanding of budgeting, finance/accounting, development and maintenance procedures
- 5.) Participation as Coach for both the Soccer and Baseball organizations.
- 6.) A member of the AVLL baseball Board of Directors
- 7.) Active in adult intramural sports (soccer, baseball)

I plan to be an active participant in all activities carried out by the Stow Recreation Commission focusing on new recreational development opportunities for the Community and the improvement of existing facilities..

Sincerely,

Tim Allaire 83 Boxboro Road To: Stow Board of Selectmen
From: Bill Jones – 6 Blueberry Court

Date: July 3, 2007

RE: Stow Recreation Commission

I understand there are two open spots on the Stow Recreation Commission that you will be filling very soon. I am writing to volunteer to fill one of the open positions.

I am going into my 10th year as a resident of Stow. My wife and I have 3 young children and recently moved within the town, solidifying our commitment to making Stow our choice to raise our family. We are very happy with the quality of life Stow provides for its residents. I feel strongly that recreational exercise of any kind is important to a person's health and happiness, at every age. I look at this as an opportunity to help with the recreation challenges of a growing community.

On a personal side, I have always enjoyed recreational activities and been actively involved as a child, adult and now parent. For the last 3 years I have coached youth baseball, basketball, and soccer teams within Stow and Maynard. I am currently the U8 coordinator for the Stow Soccer Club. I worked and attended many camps of various natures in my younger years. I am still active in adult recreation leagues, where I get a chance to meet people from other communities and share ideas on how to improve the recreational opportunities for all segments of a community's population.

Professionally, I am very active in understanding local town government. I run a small municipal services company that does work for over 40 communities around the state. I recognize how local town governments operate. I am familiar with a good amount of the MGL and have recently read the Town of Stow bylaws. As a business owner, I have scheduling flexibility and therefore I can commit the time needed to do this job correctly.

I would like to be considered for this position and look forward to working with the Board of Selectmen.

SMOC

SOUTH MIDDLESEX OPPORTUNITY COUNCIL Organizing Resources for Social Change

Main Office · 300 Howard Street · Framingham, MA · 01702 · 508-620-2300 · FAX 508-620-2310

July 2, 2007 wrong date

Chairman Janet Wheeler Town of Stow 380 Great Rd. Stow, MA 01775

Dear Chairman Wheeler:

The South Middlesex Opportunity Council (SMOC) is a nonprofit agency providing a variety of services to residents in the Metrowest Region of the Commonwealth of Massachusetts. Back in January 2006, the Department of Housing and Community Development awarded SMOC the contract to administer the American Dream Downpayment Initiative (ADDI), aimed at providing downpayment assistance to first time homebuyers. I have attached a brief description of the program with this letter.

Recently, a resident of your Town has applied for the funds, and since the program requires that elected officials of participating Cities and Town provide a letter of support, I am writing to request one from the Board of Selectman of the Town of Stow. I have attached also attached a sample letter, which you can use as a guide to writing one if you decide to do so, for your review.

The ADDI Program aims to increase the homeownership rate, especially among lower income, and to revitalize and stabilize communities. The ADDI Program is an excellent compliment to SMOC's extensive array of housing related services, and I hope that residents of your Town will take advantage of this unique opportunity.

Please feel free to call me or Kwai McBride, the program coordinator, should you have any questions or need additional information regarding this program at 508.620.2316. We are looking forward to partnering with your various departments.

Program Director 508-620-2630



American Dream Downpayment Initiative

Summary

The American Dream Downpayment Initiative (ADDI) was signed into law on December 16, 2003. The American Dream Downpayment Assistance Act authorizes up to \$200 million annually for fiscal years 2004 - 2007. ADDI will provide funds to all fifty states and to local participating jurisdictions that have a population of at least 150,000 or will receive an allocation of at least \$50,000 under the ADDI formula. ADDI will be administered as a part of the HOME Investment Partnerships Program, a formula grant program.

Purpose

ADDI aims to increase the homeownership rate, especially among lower income and minority households, and to revitalize and stabilize communities. ADDI will help first-time homebuyers with the biggest hurdle to homeownership: downpayment and closing costs. The program was created to assist low-income first-time homebuyers in purchasing single-family homes by providing funds for downpayment, closing costs, and rehabilitation carried out in conjunction with the assisted home purchase.

Type of Assistance

ADDI will provide downpayment, closing costs, and rehabilitation assistance to eligible individuals. The amount of ADDI assistance provided may not exceed \$10,000 or six percent of the purchase price of the home, whichever is greater. The rehabilitation must be completed within one year of the home purchase. Rehabilitation may include, but is not limited to, the reduction of lead paint hazards and the remediation of other home health hazards.

Eligible Customers

To be eligible for ADDI assistance, individuals must be first-time homebuyers interested in purchasing single family housing. A first-time homebuyer is defined as an individual and his or her spouse who have not owned a home during the three-year period prior to the purchase of a home with ADDI assistance. ADDI funds may be used to purchase one- to four- family housing, condominium unit, cooperative unit, or manufactured housing. Additionally, individuals who qualify for ADDI assistance must have incomes not exceeding 80% of area median income.

Eligible Activities

ADDI funds may be used for downpayment, closing costs and, if necessary, rehabilitation in conjunction with home purchase. ADDI funds used for rehabilitation may not exceed twenty percent of the participating jurisdiction's total ADDI allocation. The rehabilitation assisted with ADDI funds must be completed within one year of the home purchase.

Funding Status

In FY 2005, Congress appropriated \$49,600,000 for ADDI. Previously, Congress appropriated \$74,513,000 in FY2003 and \$86,984 in 2004. HUD has issued formula allocations for FY 2005 to assist participating jurisdictions in preparing their consolidated plans.

Obtaining Assistance

First, check the formula allocation page to determine whether your local HOME administering agency received ADDI funding. If they did not receive ADDI funding, ADDI funds may be available through your state. Every state received ADDI funds. The contacts for state are available in the HOME administering agency list.

For further information regarding the administration of ADDI, visit our Q&A page (PDF | Word).

Content updated July 21, 2005

U.S. Department of Housing and Urban Development 451 7th Street, S.W., Washington, DC 20410 Telephone: (202) 708-1112 Find the address of a HUD office near you

6/25/07

Stow Board of Selectmen Standard Operating Procedures

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 Town

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 Course

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Rally stirs support for Municipal Partnership Act

Thursday, June 21, 2007

from MMA site

At a boisterous State House rally today, local officials and community groups from across the state joined Gov. Deval Patrick and Lt. Gov. Tim Murray in calling on the Legislature to pass the Municipal Partnership Act.

The legislation, filed by the governor in February, contains a number of revenue, cost-cutting and management provisions designed to reduce the over-reliance on the local property tax for funding basic municipal services.

Somerville Mayor Joseph Curtatone called the legislation "a well-designed and extremely valuable tool kit.

"If you can't provide more local aid," he said, addressing the Legislature, "then give us the tools to shape our fiscal destiny. ... The entire tool kit deserves the Legislature's full consideration."

• Municipal Partnership Act Resource Area

Among its provisions, the Partnership Act would allow cities and towns, at local option, to apply a tax of 1 or 2 percent on meals and add a percentage point to the room occupancy tax rate. The governor pointed out that even with a 2 percent local levy, Massachusetts rates would still be below those of New Hampshire and cities such as Chicago, San Francisco, Denver, Seattle and Austin, Texas.

"We're not talking about breaking the bank," Patrick said. "We're talking about modernizing our revenue stream."

The local tax proposals could provide cities and towns with an estimated \$250 million or more statewide.

The legislation would also close a 92-year-old tax exemption that allows the phone company to avoid paying an estimated \$78 million in local property taxes on poles and equipment. The exemption was instituted in 1915 to encourage universal telephone service.

"I think it's time to retire that law," the governor said. "It has done it's job."

Gov. Patrick said the phone company must "pay its fair share," and disputed arguments that doing so would result in higher rates for consumers. He said phone rates are actually lower in states "where they pay more taxes."

On the cost side, the Partnership Act would allow municipalities to opt into the Group Insurance Commission, the state's health insurance pool. This and a pension asset investment provision would give communities new ways to ease local cost increases.

The legislation would also allow municipalities with a split tax rate to delay full implementation of a law that is scheduled to reduce the maximum commercial rate to 175 percent of the residential rate.

"The Municipal Partnership Act is not a silver bullet, but I think it can help," the governor said. State government's responsibility, he added, "is to hear you, to help where we can, and to not wait for a crisis to land on our steps."

Local officials met with their legislators before and after the event to press them to act on the Partnership Act.

110/07 from hegistation page of for Patrick's with on SUMMARY OF MUNICIPAL PARTNERSHIP ACT Mass. Gav

Section 1 creates a Municipal Property Tax Exemption Fund for the purpose of reimbursing cities and towns for property taxes abated for qualifying senior citizens. The fund will receive a portion of the local hotel and meal taxes imposed by cities and towns.

Section 2 provides that the deputy commissioner for local services shall also be known as the director of municipal affairs and shall report to the commissioner of revenue and to the secretary of administration and finance.

Section 3 would allow cities and towns to advertise the notice of invitation for bids for a procurement contract on the internet instead of in a local newspaper of general circulation, as is currently required under the Uniform Procurement Act. Municipalities could post the notices on either their own or the commonwealth's website. The Operational Services Division estimates that this change would save cities and towns thousands of dollars each year. According to OSD, this change received the support of the Office of the Inspector General last year and was included in House 1 but was not passed.

Sections 4, 6, 7 and 8 would allow cities and towns, by local option, to participate in the Group Insurance Commission. Decisions to participate would be made by agreement between the municipality and a public employee committee which would include representatives from each collective bargaining unit. Bill was drafted by MAPC and has already been filed as a separate bill.

Section 5 would require retirement systems that have a funding ratio of less than 80 per cent and have underperformed the PRIT Fund by at least 2.25 per cent over a 5-year period, as determined by PERAC, to transfer their assets to the PRIT fund for investment. Systems with extenuating circumstances could appeal to PERAC for an exemption from this requirement.

Sections 9 to 20 and section 30 would increase flexibility in municipal borrowing by allowing borrowing for terms consistent with the maximum useful life of the asset, but not more than 30 years, as determined by the mayor, town council or board of selectmen. The bill would also increase flexibility for emergency borrowing, expedite

the process for achieving savings through refinancings and remove overly restrictive requirements for amortization of debt.

Section 21 would confirm the existing authority of cities and towns to impose a trash collection fee that is mandatory unless the city or town grants a waiver. The collected fees or charges need not be maintained in a separate fund. The section is intended to validate the type of trash collection program recently invalidated in Springfield.

Section 22 would streamline the process by which local assessors can grant abatements without receiving prior approval from the department of revenue. The commissioner would issue guidelines granting authority to abate for reasons determined by the commissioner to be in the public interest.

Sections 23 to 27 would eliminate utility corporation tax exemptions for telecommunications companies and make them subject to the same exemptions as other business corporations. They would be taxable on machinery used in the conduct of business, and city and town assessors would be responsible for valuing that machinery.

Section 28 would increase the maximum local option hotel tax from 4 per cent to 5 per cent of the rent for occupancy.

Section 29 allows cities and towns by local option to impose a meals tax of up to 2 per cent of gross receipts. Twenty-five per cent of the amount collected under this section and of new amounts collected under section 28 (hotel tax) would be deposited in a reserve fund in the executive office for administration and finance to be used for the purpose of reimbursing cities and towns for property taxes abated for qualifying senior citizens. The balance would be distributed to each city or town that adopts this tax in proportion to the amount received in that city or town.

Sections 31, 32 and 33 would allow communities to continue to shift the percentage of the total tax levy imposed on any class of property in an amount not to exceed 183 per cent of the value of that property divided by the value of all taxable property in the city or town for the next two fiscal years.

Section 34 would create a special commission to study the use of state technology for municipal purposes.

Section 35 would create a special commission to consider ways to grant increased local authority in areas currently requiring home rule petitions. The commission would also investigate methods for providing incentives for best municipal fiscal practices and regionalization of municipal services.

Section 36 would ratify trash collection fees imposed before the effective date of this act.

963 CMR: MASSACHUSETTS SCHOOL BUILDING AUTHORITY Re: 5 chool b

(2) Initial Compliance Certification Process.

- (a) The Authority shall not consider an Application if an Initial Compliance Certification has not been properly submitted to the Authority by the Eligible Applicant in the format developed by the Authority. The Eligible Applicant shall certify in the Initial Compliance Certification current and future compliance with the provisions of the rules, regulations, policies and procedures of the Authority.
- (b) Any Eligible Applicant seeking funding from the Authority which has, prior to submitting any part of an Application to the Authority, sold, leased or otherwise removed from service any schoolhouse operated by said Eligible Applicant shall be eligible for such grant only if the Authority determines that the grant is not for the purpose of replacing a schoolhouse sold, leased, or otherwise removed from service in the past ten years or that the need for the Proposed Project covered by the grant could not have reasonably been anticipated at the time that such schoolhouse was sold, leased, or otherwise removed from service pursuant to M.G.L. c. 70B, § 15 (c).
- (c) Pursuant to M.G.L. c. 70B, § 8, the Authority shall not approve any Proposed Project for any school district that fails to spend in the year preceding the year of application at least 50% of the sum of said school district's calculated foundation budget amounts for the purposes of foundation utility and ordinary maintenance expenses, and extraordinary maintenance allotment as defined in M.G.L. c.70, for said purposes. From Fiscal Year 1999 forward, no school district shall be given approval for a Proposed Project nor receive any funding from the Authority unless said district has spent at least 50% of the sum of said district's calculated foundation budget amounts in each of the Fiscal Years including and succeeding Fiscal Year 1999.



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(3) School Building Committee.

- (a) The Eligible Applicant shall formulate a school building committee for the purpose of generally monitoring the Application process and to advise the Eligible Applicant during the construction of an Approved Project.
- (b) The school building committee shall be formed in accordance with the provisions of the Eligible Applicant's local charter and/or by-laws and it is recommended that the city, town, regional school district, or independent agricultural and technical school make a reasonable effort to include one or more of the following individuals: the local chief executive officer of the Eligible Applicant, or, in the case of a town whose local chief executive officer is a multi-party body, said body may elect one of its members to serve on the school building committee; the administrator or manager of a city or a town, where applicable; at least one member of the school committee, as required by M.G.L. c. 71, § 68; the superintendent of schools; the local official responsible for building maintenance; a representative of the office or body authorized by law to construct school buildings in that city, town or regional school district, or for that independent agricultural and technical school; the school principal from the subject school; a member who has knowledge of the educational mission and function of the facility; a local budget official or member of the local finance committee; members of the community with architecture, engineering and/or construction experience to provide advice relative to the effect of the Proposed Project on the community and to examine building design and construction in terms of its constructability.
- (c) The Authority may hold "best practices" information sessions at varying geographic locations in the Commonwealth for the purposes of keeping school building committees up to date on regulatory and policy activities of the Authority.
- (d) The Authority shall approve the composition and role of the school building committee which approval shall not be unreasonably withheld. Authority approval will be based on several factors, including, but not limited to:
 - 1. past performance of the school building committee, the building committee, whether temporary or permanent, or any other committee responsible for the oversight, management, or administration of the construction of public buildings, and its individual members; and

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- 2. the extent to which there is representation of the municipal government, school district personnel with management, educational and maintenance expertise, and representation of members of the local community with design and construction experience. After the approval of the school building committee by the Authority, if any, the Eligible Applicant shall notify the Authority in writing within 20 calendar days of any changes to the membership or the duties of said committee.
- (e) The Eligible Applicant shall not delegate their fiduciary responsibilities to the School Building Committee.

(4) <u>Design and Educational Program and Budget Statement for Educational Objectives.</u>

- (a) If the Authority determines that the Proposed Project has been deemed to merit further consideration, the Authority may require that an Eligible Applicant submit, in the format prescribed by the Authority, a Design and Educational Program, and a Budget Statement for Educational Objectives. The Eligible Applicant shall outline the specific educational program goals for a Proposed Project and how the Eligible Applicant proposes to align those goals with the operating budget for the District and Proposed Project.
- (b) The following spaces shall be categorically ineligible for Authority funding: swimming pools, skating rinks, field houses (only to the same extent as gymnasia), district administrative office space, indoor tennis courts, and other spaces which may be determined ineligible by the Authority.
- (c) The Design and Educational Program shall be subject to the approval of the Authority. The Authority may provide, when in the discretion of the Authority it is necessary, technical assistance to the Eligible Applicant with the development of Design and Educational Program elements. The Authority shall review the Budget Statement for Educational Objectives in the context of the Design and Educational Program, and the Authority may consult the Division of Local Services at the Massachusetts Department of Revenue. The Authority may require that the Eligible Applicant make changes, adjustments or modifications to the Design and Educational Program or the Budget Statement for Educational Objectives in order to receive approval from the Authority.
- (d) After approval of the Design and Educational Program by the Authority, the Eligible Applicant shall certify to the Authority, in the manner prescribed by the Authority, that the local school committee has voted to approve the Design and Educational Program and the Budget Statement for Educational Objectives in a manner prescribed by the Authority and provide the Authority with a copy of the local school committee vote.

(5) Educational Facilities Master Plan.

- (a) An Eligible Applicant shall have a current educational facilities master plan that includes both a long term and a short term plan for facilities and an updated building inventory, in accordance with the Educational Facility Master Plan Guidelines established by the Authority.
- (b) If the Authority determines that a Proposed Project deems to merit further consideration, the Authority may require that an Eligible Applicant submit an educational facilities master plan, as defined and in the format prescribed by the Authority.

(6) Facilities Assessment.

(a) The Authority may determine that a Facilities Assessment is necessary to understand the extent of deficiencies outlined in the Statement of Interest. The Authority, in cooperation with the Eligible Applicant, may conduct a Facilities Assessment of the facility addressed in the Statement of Interest or any facilities relevant to the facility addressed in the Statement of Interest, as determined by the Authority.

TOWN OF STOW

REQUEST FOR PROPOSALS FOR THE SALE AND PURCHASE OF REAL PROPERTY IN THE TOWN OF STOW July 3, 2007

1. AWARDING AUTHORITY

The Town of Stow (the "Town").

2. PROJECT DESCRIPTION

The Town, through the Recreation Department and under the guidance and direction of the Board of Selectmen, seeks land for future active recreational needs. The Town is soliciting interest from local property owners who want to consider selling qualified property.

3. OUALIFIED PROPERTY

The minimum qualifications for consideration are as follows:

- 1. A property must have at least 7 acres of land.
- 2. The property must be located in its entirety within the town of Stow.
- 3. The property must have adequate legal frontage on, and access to, a public way.

4. EVALUATION CRITERIA

All properties offered to the Town in response to this solicitation must meet the minimum qualifications outlined above. The Recreation Commission and its designees, with the advice of counsel where requested, will read and evaluate all proposals using the following criteria, and higher ratings may be assigned based upon this evaluation. The cost, if any, to perform the evaluation will be the responsibility of the Town.

- Overall size vs. number of useable acres: A parcel larger than 7 acres may be considered as long as it contains at least 7 useable acres.
- Offer price relative to fair market value: A property offered at or below its fair market value will receive a higher rating than a property offered above its fair market value.
- Ease of development: A property that is unconstrained by wetlands, topographic features, or other impediments will receive a higher rating than a parcel with constraints to development.
- Access to public roads: A property that has direct and immediately accessible frontage on a Town or State road will receive a higher rating than a parcel not so located.
- The characteristics of the soils and the availability of water: The evaluation will assess the potential impact of these factors on the potential development of recreational facilities and the Town's ability to secure all required local and state site development permits.

- Encumbrances: The property deed will be examined to ensure that it contains no restrictions or liens that would preclude or unreasonably interfere with any of the property's intended uses as noted above.
- Hazardous waste: Preference will be given to properties that are <u>not</u> included on the "List of Confirmed Disposal Sites and Locations To Be Investigated" (Bureau of Waste Site Cleanup, Mass. DEP).

5. PURCHASE PRICE

To be negotiated; however, all properties offered for sale to the Town must have an offer price.

6. CONTINGENCIES

The acquisition of a property is contingent on approval by Stow Town Meeting and Stow Town Election.

7. PROPOSAL REQUIREMENTS

All proposals must be submitted in a sealed envelope marked "Recreation Land Purchase Proposal". Each proposal must include the following items with the exception of those designated "if available":

- a) A letter of application including: the name, address, and telephone number of the individual or entity offering the property for sale, identification of all legal and beneficial owners of the property, and any terms or conditions placed on the offer. The letter of application must also contain an offer for sale to the Town.
- b) A brief description of the property including: location (book and page number), street address, total size, and if available: topographical information, access to utilities, and location and extent of wetlands.
- c) An aerial photograph, if available, or other map or plan identifying the property and its relationship to abutting properties.
- d) Any professional reports related to the property such as test wells, soil tests, wetlands delineations, and wildlife/endangered species assessments, if available.
- e) Opinion of title from an attorney licensed in the Commonwealth, if available.
- f) Details on any easements, restrictions, or encroachments, if available.
- g) Certification of tax compliance.
- h) The price for which the property is being offered.

8. DEADLINE

Six (6) copies of the proposal must be submitted by 4:00 pm on August 31, 2007 to:

The Recreation Commission Town of Stow Town Building 380 Great Road Stow, MA 01775

There will be a public bid opening at the Stow Town Building at 1:00pm on September 4, 2007.

9. INQUIRIES

Written inquiries should be directed to:

Mr. William J. Wrigley Town Administrator Town of Stow Town Building 380 Great Road Stow, MA 01775

Written questions regarding this RFP will be accepted until August 3, 2007 if mailed to the address above. Answers, to the best of the Recreation Commission's ability, will be provided within ten (10) days of the written request being received by Mr. Wrigley. All questions and responsive answers will be considered public records.

10. RIGHT TO REJECT ANY AND ALL PROPOSALS

The Recreation Commission, on behalf of the Town, reserves the right to reject any and all proposals and to not accept any should it be deemed to be in the best interest of the Town to do so.

State Publications and Regulations William Francis Galvin, Secretary of the Commonwealth

Home Search Index Feedback Contact			
The following Real Property submission was successfully received.			
Planned date of publish is 7/18/2007			
Awarding Agency			
Agency Name and Address:	Town of Stow through its Recreation Department		
Project Number:	n/a		
Proposal Deadline Date:	08/31/07	Time:	4:00 pm
Contact Information			
Name:	Michael Busch, Recreation Comm Chairman		
Phone:	978-461-1411	Fax	978-897-4536
Email Address:	recreation@stow-ma.gov Notify email address listed when final publish date assigned.		
Contract Information			
Transaction Terms:	Acquisition: Purchase Disposition: Not Chosen		
Project:	Land for active recreation: 7 acres min; located in Town of Stow; adequate legal frontage on, and access to, a public way.		
Estimated Value, Source of Valuation	Fair market value, by appraisal.		
Additional Information	Acquisition contingent on Town Meeting approval.		
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